

FILED

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CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

v.

IVAN CERNA, et al.,
Defendants.

No: S2-CR-08-0730-WHA

APPLICATION AND ~~PROPOSED~~
UNSEALING ORDER

The Government respectfully submits this application to unseal the above-captioned Second Superseding Indictment as well as the underlying case, which had been sealed because four of the thirty-one named defendants needed to be arrested. Of these four, one has been arrested and the whereabouts of the others are unknown. Accordingly, the Government would ask that the Second Superseding Indictment and the underlying case be unsealed so that the matter can proceed with respect to the defendants already in custody.

DATED: February 3, 2009

JOSEPH P. RUSSONIELLO
United States Attorney

By:

W.S. Wilson Leung
W.S. Wilson Leung
Assistant United States Attorney

1 Upon the motion of the United States, by United States Attorney Joseph P. Russoniello
2 and Assistant United States Attorney W.S. Wilson Leung, of counsel, for the reasons stated
3 above, it is hereby ordered that the above-captioned Second Superseding Indictment and the
4 underlying case be unsealed.

5 IT IS SO ORDERED.

6
7 DATED: February 3, 2009


HON. MARIA-ELENA JAMES
United States Magistrate Judge